

**SUPREME COURT MINUTES
WEDNESDAY, JANUARY 19, 2000
SAN FRANCISCO, CALIFORNIA**

S059739 In re James Robert Scott
 on
 Habeas Corpus

BY THE COURT:

In the matter of James Robert Scott on Habeas Corpus, S059739 (related to Los Angeles County Superior Court case No. A747321), good cause appearing, it is ordered that the Presiding Judge of the Los Angeles County Superior Court shall select a judge of that court to sit as a referee in this proceeding, and that the court shall promptly notify this court of the referee selected. After appointment by this court, the referee, after proper notice to the parties, is directed promptly to hold an evidentiary hearing and to make findings on the following questions:

1. What actions did petitioner's trial counsel take to investigate a possible mental defense at the guilt phase? What were the results of that investigation? What additional evidence supporting a mental defense, if any, could petitioner have presented at the guilt phase? What investigative steps, if any, would have led to this additional evidence? How credible was this additional evidence? What circumstances, if any, weighed against the investigation or presentation of this additional evidence? What evidence rebutting this additional evidence reasonably would have been available to the prosecution?

2. What actions did petitioner's trial counsel take to investigate potential evidence in mitigation at the penalty phase? What were the results of that investigation? What additional mitigating evidence, if any, could petitioner have presented at the penalty phase? What investigative steps, if any, would have led to this additional evidence? How credible was this additional evidence? What circumstances, if any, weighed against the investigation or presentation of this additional evidence? What evidence rebutting this additional evidence reasonably would have been available to the prosecution?

3. Did petitioner himself request the curtailment of or do anything to hinder or prevent the investigation or presentation of evidence supporting a mental defense at the guilt phase or in mitigation at the penalty phase? If so, what did he do or request?

4. Why did trial counsel advise petitioner to waive a jury? Did

any failure by trial counsel to investigate a mental defense or mitigating evidence render counsel's advice to waive a jury uninformed? Would any additional investigation have affected the advice to waive a jury and, if so, what and how?

It is further ordered that the referee prepare and submit to this court a report of the proceedings conducted pursuant to this appointment, of the evidence adduced, and of the findings of fact made.

S083466 Marilyn Merrill et al., Appellants
1st Dist. v.
A079863 Navegar, Inc, Respondent
Div. 2 Respondent's petition for review GRANTED.

George, C.J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S084105 Manuel Torres et al., Appellants
4th Dist. v.
D031296 Parkhouse Tire Service, Inc. et al., Respondents
Div. 1 Respondents' petitions for review GRANTED.

George, C.J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

9th Cir. Blue Ridge Insurance Company, Appellant

No. 98- v.

55052 Brigitte Jacobsen et al., Appellants

S083934 The request for certification directed to this court from the
United States Court of Appeals for the Ninth Circuit is accepted.

For purposes of briefing and oral argument, appellants Brigitte
Jacobsen et al. are deemed petitioners to this court.

George, C.J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S079437 People, Respondent

2nd Dist. v.

B118522 Gregory Taylor, Appellant

Div. 7 The above-entitled review is hereby transferred to the Court of
Appeal, Second Appellate District, Division Seven, with directions
to vacate its decision and to reconsider the cause in light of *People v.*
Tufunga (1999) 21 Cal.4th 935.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S071951 FWHC Medical Group et al., Appellants

2nd Dist. v.

B113493 CAN Casualty of California et al., Respondents

Div. 5 Petitioner has filed a “Stipulation re: Dismissal and Order” in light of the case having settled.

Pursuant to rule 29.4(c), California Rules of Court, the above-entitled review is dismissed and cause is remanded to the Court of Appeal, Second Appellate District, Division Five.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S006547 People, Respondent

v.

David Joseph Carpenter, Appellant

Petition for rehearing and request to modify opinion DENIED.

Mosk, J., is of the opinion the petition should be granted.

S084878 Sharon Shea, Petitioner

v.

Court of Appeal, First Appellate District, Respondent

Marc Steven Samborski, Real Party in Interest

Application for stay and petition for writ of mandate DENIED.

S084320 In re Michael Dee Mattson

on

Habeas Corpus

The petition for writ of habeas corpus is denied on the merits.

All claims are also denied as untimely (*In re Robbins* (1998) 18 Cal.4th 770; *In re Clark* (1993) 5 Cal.4th 750) and successive. (*In re Robbins, supra*, 18 Cal.4th at p. 788; *In re Clark, supra*, 5 Cal.4th

at pp.768, 782; *In re Horowitz* (1949) 33 Cal.2d 534, 546-547.)

Claims I and III are denied for the additional reason that they could have been, but were not, raised on appeal. (*In re Dixon* (1953) 41 Cal.2d 756, 759.)

Mosk, J., and Brown, J., would deny the petition solely on the merits.

1st Dist. A081165 Div. 1 S083065	People, Respondent v. Kevin Lopez Tadema et al., Appellants Appellants' petitions for review DENIED. Mosk, J., is of the opinion review should be granted.
1st Dist. A082063 Div. 4 S083847	John King et al., Appellants v. National Benevolent Association of the Christian Church (Disciples of Christ) et al., Appellants Appellants' petition for review DENIED.
1st Dist. A082083 Div. 1 S083902	Rodney Rowleett et al., Appellants v. Andrea Lynn, Respondent Appellants' petition for review DENIED.
1st Dist. A082707 Div. 2 S084127	People, Respondent v. James Murdaugh, Appellant Appellant's petition for review DENIED.
1st Dist. A083127 Div. 4 S084167	AL Holding Company, Appellant v. O'Brien & Hicks Incorporated, Respondent Appellant's petition for review DENIED.
1st Dist. A083420 Div. 3 S084191	People, Respondent v. Dolores Mayra, Appellant Appellant's petition for review DENIED.

1st Dist. A083733 Div. 1 S084058	People, Respondent v. Robert Williams, Appellant Appellant's petition for review DENIED.
1st Dist. A084238 Div. 4 S084112	Graham Cook, Appellant v. Francis Templin et al., Respondents Appellant's petition for review DENIED.
1st Dist. A084335 Div. 1 S083915	Bernard Schindler, Respondent v. East Bay Cash Register Systems Inc., Appellant Respondent's petition for review DENIED.
1st Dist. A084901 Div. 2 S084131	David J. Oranen, D.C., Appellant v. Board of Chiropractic Examiners of the State of California, Respondent Petition for review DENIED. The request for an order directing depublication of the opinion is DENIED.
1st Dist. A085052 Div. 3 S084179	People, Respondent v. Taiwan Umze Walker, Appellant Appellant's petition for review DENIED.
1st Dist. A086580 Div. 1 S084143	People, Respondent v. Henry Amaeshi Nwozuzu, Appellant Appellant's petition for review DENIED.
1st Dist. A088421 Div. 5 S084018	Manfred Clynes et al., Petitioners v. San Mateo County Superior Court, Respondent Electronics for Imaging Incorporated et al., Real Parties in Interest Petition for review DENIED.

1st Dist. Bonni B. Kerenyi, Petitioner
A088694 v.
Div. 5 Workers' Compensation Appeals Board et al., Respondents
S084188 Del Monte Foods
Petition for review DENIED.

1st Dist. Cesar Rodriguez, Petitioner
A088762 v.
Div. 4 San Mateo County Superior Court, Respondent
S083783 People, Real Party in Interest
Petition for review DENIED.

2nd Dist. Filippo Industries Incorporated, Appellant
B115302 v.
Div. 7 Sun Insurance Company of New York et al., Appellants
S083216 Petition for review DENIED.
Chin, J., is of the opinion the petition should be granted.
The request for an order directing depublication of the opinion is
DENIED.

2nd Dist. People, Respondent
B116682 v.
Div. 6 Terry Van Forhan, Appellant
S083553 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent
B117575 v.
Div. 2 Kevin Hardin, Appellant
S083682 Appellant's petition for review DENIED.

2nd Dist. Gregory J. Gordon et al., Appellants
B120385 v.
Div. 3 20th Century Insurance Company, Respondent
S083653 Appellants' petition for review DENIED.

2nd Dist. People, Respondent
B120763 v.
Div. 2 Damond D. Jackson et al., Appellants
S083959 Appellants' petition for review DENIED.

2nd Dist. Robert Arkow, Appellant
B122934 v.
Div. 5 State of California et al., Respondents
S084111 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B123383 v.
Div. 2 Rome Jerome DeGuzman, Appellant
S083312 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B123662 v.
Div. 5 Peter Montellano et al., Appellants
S084050 Appellants' petition for review DENIED.

2nd Dist. Donald Lagatree, Appellant
B124263 v.
B125272 Luce, Forward, Hamilton & Scripps, Respondent
Div. 1 And Companion Case
S083028 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent
B124271 v.
Div. 2 Ngne Chi Tang, Appellant
S083635 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B124320 v.
Div. 6 Mario Labrica Desequera, Appellant
S084173 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B124331 v.
Div. 1 Raymond Vasquez, Appellant
S084152 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B124335 v.
Div. 3 Gregory Lane Burr et al., Appellants
S083760 Appellants' petitions for review DENIED.
Mosk, J., is of the opinion review should be granted.

2nd Dist. Beverly Sanchez, Respondent
B124489 v.
Div. 5 Pacificare Health Systems et al., Appellants
S083961 Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent
B124974 v.
Div. 5 Mark Edward Dorsey, Appellant
S083513 Petitions for review DENIED.
Mosk, J., is of the opinion review should be granted.

2nd Dist. People, Respondent
B125190 v.
Div. 4 Scott M. Ereckson, Appellant
S084260 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B125310 v.
Div. 4 Fernando Sandoval, Appellant
S083949 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B125524 v.
Div. 1 Raymond Zavala Ozuna, Appellant
S084088 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B126065 v.
Div. 6 Anthony John Duarte, Appellant
S084101 Appellant's petition for review DENIED.

2nd Dist. Michael Reyes, Appellant
B126460 v.
Div. 1 Tuotor-Saliba-Perini, Respondent
S084174 Appellant's petition for review DENIED.
The request for an order directing publication of the opinion is
DENIED.

2nd Dist. B126744 Div. 1 S084046	People, Respondent v. Gabriel Acevedo Mendez, Appellant Appellant's petition for review DENIED.
2nd Dist. B126821 Div. 5 S084130	People, Respondent v. Mateo Enriquez Gonzalez, Appellant Appellant's petition for review DENIED.
2nd Dist. B127001 Div. 5 S083956	People, Respondent v. Leonard Trask, Appellant Appellant's petition for review DENIED.
2nd Dist. B127656 Div. 1 S084085	People, Respondent v. Richard De La Cerda Banales, Appellant Appellant's petition for review DENIED.
2nd Dist. B127767 Div. 1 S084204	People, Respondent v. Rosalio Guerrero, Appellant Appellant's petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
2nd Dist. B127877 Div. 6 S084133	People, Respondent v. Evert Spells, Appellant Appellant's petition for review DENIED.
2nd Dist. B127966 Div. 7 S083977	People, Respondent v. Aragon G. Faletogo, Appellant Appellant's petition for review DENIED.
2nd Dist. B128126 Div. 6 S084069	People, Respondent v. Richard Todd Brown, Appellant Appellant's petition for review DENIED.

2nd Dist. B128170 Div. 5 S083818	Leon Jenkins et al., Appellants v. John Niemier et al., Respondents Petition for review DENIED.
2nd Dist. B128225 Div. 1 S084132	People, Appellant v. Maurice Strain, Respondent Respondent's petition for review DENIED.
2nd Dist. B128809 Div. 1 S084163	People, Respondent v. Salvador Prado, Appellant Petitions for review DENIED.
2nd Dist. B128943 Div. 1 S084106	People, Respondent v. Wilfredo Hernandez Sales, Appellant Appellant's petition for review DENIED.
2nd Dist. B129030 Div. 5 S084092	People, Respondent v. Ernest Kincade, Appellant Appellant's petition for review DENIED.
2nd Dist. B129227 Div. 1 S084049	People, Respondent v. Alejandro Delrosario, Appellant Appellant's petition for review DENIED.
2nd Dist. B129387 Div. 2 S083482	In re Rome Jerome DeGuzman on Habeas Corpus Petition for review DENIED.
2nd Dist. B129574 Div. 3 S084034	People, Respondent v. Sammy Sinanmea Williams, Appellant Appellant's petition for review DENIED.

2nd Dist. B130184 Div. 1 S083355	People, Respondent v. Pamela Bastian, Appellant Appellant's petition for review DENIED.
2nd Dist. B130325 Div. 5 S084042	People, Respondent v. Malcolm Horton, Appellant Appellant's petition for review DENIED.
2nd Dist. B131431 Div. 1 S083458	ICF Kaiser Engineers Incorporated, Petitioner v. Los Angeles County Superior Court, Respondent Sepulveda Hatteras Limited et al., Real Parties in Interest Real Parties in Interest's petition for review DENIED.
2nd Dist. B133652 Div. 5 S084063	Gil Garcetti, as District Attorney, etc., Petitioner v. Los Angeles County Superior Court, Respondent Ignacio Zaragoza, Real Party in Interest Real Party in Interest's petition for review DENIED.
2nd Dist. B134888 Div. 7 S084078	Sycamore Pharmacy Incorporated, Petitioner v. Workers' Compensation Appeals Board et al., Respondents Petition for review DENIED.
2nd Dist. B135708 Div. 2 S084031	Fairchild Fasteners Incorporated, Petitioner v. Workers' Compensation Appeals Board, Respondent Anthony Muriel, Respondent Petition for review DENIED.
2nd Dist. B136202 Div. 1 S083530	Philip Walker Rosati, Petitioner v. Los Angeles County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.

2nd Dist. Philip Walker Rosati, Petitioner
B136402 v.
Div. 1 Los Angeles County Superior Court, Respondent
S083869 People, Real Party in Interest
Petition for review DENIED.

2nd Dist. Aureliano Tamayo Maciel, Petitioner
B136552 v.
Div. 1 Los Angeles County Superior Court, Respondent
S083817 People, Real Party in Interest
Petition for review DENIED.

2nd Dist. Aleksander Volochtchouk, Petitioner
B136602 v.
Div. 5 Los Angeles County Superior Court, Respondent
S084005 People, Real Party in Interest
Petition for review DENIED.

2nd Dist. Martin Alan Hammond, Petitioner
B136631 v.
Div. 5 Workers' Compensation Appeals Board, Respondent
S084161 California Department of Corrections et al., Respondents
Petition for review DENIED.

2nd Dist. Martin Alan Hammond, Petitioner
B136632 v.
Div. 5 Workers' Compensation Appeals Board, 2nd Dist.
S084162 California Department of Corrections, Respondent
Petition for review DENIED.

2nd Dist. Philip Walker Rosati, Petitioner
B136969 v.
Div. 1 Los Angeles County Superior Court, Respondent
S084393 People, Real Party in Interest
Petition for review DENIED.

2nd Dist. People, Respondent
B136977 v.
Div. 5 Enrigue M. Vasquez, Appellant
S083758 Appellant's petition for review DENIED.

2nd Dist. Industrial Network Systems, Inc., Petitioner
B138002 v.
Div. 7 Los Angeles County Superior Court, Respondent
S084992 Kevin Roddy et al., Real Parties in Interest
Application for stay and petition for review DENIED.

3rd Dist. Tiffany P., Appellant
C028167 v.
S084230 Albertson's Incorporated, Respondent
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C028275 v.
S083953 Songii Earl Pruitt, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C028520 v.
S084208 John David Harrell, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C028606 v.
S083967 Carlos Frank Arias, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C028961 v.
S083995 Shawn Demar Green, Appellant
Appellant's petition for review DENIED.

3rd Dist. San Joaquin County Human Services Agency, Respondent
C029282 v.
S084066 Brian R., Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C031195 v.
S083609 Karen Gerene Peart, Appellant
Appellant's petition for review DENIED.

3rd Dist. C031808 S084091	People, Respondent v. Brian Lee Rettman, Appellant Appellant's petition for review DENIED.
4th Dist. D026690 Div. 1 S084268	N. N. V., a Minor, Appellant v. American Association of Blood Banks, Appellant Raquel V. Lugo, Respondent Petition for review DENIED.
4th Dist. D029564 Div. 1 S083857	People, Respondent v. Jarred Viktor, Appellant Appellant's petition for review DENIED.
4th Dist. D029614 Div. 1 S083479	People, Respondent v. Hensel Omar Pena, Appellant Appellant's petition for review DENIED.
4th Dist. D030137 Div. 1 S083700	People, Respondent v. Tony Vincent Roberts, Appellant Appellant's petition for review DENIED.
4th Dist. D030277 Div. 1 S084154	Carl A. Meisterlin et al., Appellants v. William A. Coates et al., Respondents Appellants' petition for review DENIED.
4th Dist. D031137 Div. 1 S083774	People, Respondent v. Glenn E. Mitchell, Appellant Appellant's petition for review DENIED.
4th Dist. D031170 Div. 1 S084093	People, Respondent v. Jimmy Lee Holden, Appellant Appellant's petition for review DENIED.

4th Dist. San Diego Police Officers Association et al., Appellants
D031470 v.
Div. 1 City of San Diego; San Diego Police Department et al., Respondents
S084233 Appellants' petition for review DENIED.

4th Dist. People, Respondent
D032384 v.
Div. 1 Victor Manuel Luna Barraza, Appellant
S084250 Appellant's petition for review DENIED.

4th Dist. People, Appellant
D032434 v.
Div. 1 Ernest Edward Dew, Respondent
S084041 Respondent's petition for review DENIED.

4th Dist. People, Respondent
D032849 v.
Div. 1 Calvin Bolding, Appellant
S083957 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E020975 v.
Div. 2 Thomas H. Holcomb, Appellant
S083789 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E021598 v.
E021599 Charles Allen Loder et al., Appellants
Div. 2 Appellants' petition for review DENIED.
S083597

4th Dist. Redevelopment Agency of the City of Long Beach, Respondent
E021721 v.
Div. 2 County of Los Angeles et al., Appellants
S083363 Metropolitan Water District et al., Real Parties in Interest
Petition for review DENIED.
Kennard, J., and Chin, J., are of the opinion the petition should be granted.

4th Dist. People, Respondent
E022067 v.
E022133 Robert Evan Keck, Appellant
Div. 2 And Companion Case
S083485 Appellants' petitions for review DENIED.

4th Dist. People, Respondent
E022253 v.
E022127 Joseph Emilio Hernandez, Appellant
Div. 2 Appellants' petitions for review DENIED.
S083578

4th Dist. People, Respondent
E022548 v.
E022512 Clifton Maxwell, Appellant
E023541 And Companion Case
Div. 2 Petitions for review DENIED.
S083678

4th Dist. People, Respondent
E022674 v.
Div. 2 Miguel Valdez, Appellant
S084054 Appellant's petition for review DENIED.

4th Dist. Jon Sanhorst, Respondent
E022720 v.
Div. 2 Denny G. Amundsen, Respondent
S083655 Inland Counties Regional Center Inc., Real Party in Interest
Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent
E023058 v.
Div. 2 Charles Thomas Davis, Appellant
S084068 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E023215 v.
Div. 2 Mark Steven Keith, Appellant
S084006 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E023602 v.
Div. 2 Percy Lee Brown, Appellant
S083983 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E023872 v.
Div. 2 Robert Ortega, Appellant
S084142 Appellant's petition for review DENIED.

4th Dist. In re Enrico S., a Person Coming Under the Juvenile Court Law
E024031 -----
Div. 2 People, Respondent
S084182 v.
Enrico S., Appellant
Petition for review DENIED.

4th Dist. People, Respondent
E024088 v.
Div. 2 Juan Ruiz, Appellant
S084096 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E024360 v.
Div. 2 Raymond Rico, Appellant
S084017 Appellant's petition for review DENIED.

4th Dist. Gerald Rogers, Petitioner
E025286 v.
Div. 2 San Bernardino County Superior Court, Respondent
S083926 People, Real Party in Interest
Respondent's petition for review DENIED.

4th Dist. In re Daniel Bryant Rees
E025759 on
Div. 2 Habeas Corpus
S083518 Petition for review DENIED on the merits.

4th Dist. Roger Gomez, Petitioner
E026012 v.
Div. 2 Riverside County Superior Court, Respondent
S084029 People, Real Party in Interest
Petition for review DENIED.

4th Dist. Wiser et al., Appellants
G019370 v.
Div. 2 Pacific Inland Bank et al., Respondents
S084138 Appellants' petition for review DENIED.

4th Dist. In re Lisa Li Yun Peng on Habeas Corpus
G020385 -----
G023957 People, Respondent
Div. 3 v.
S083574 Lisa Li Yun Peng, Appellant
Respondent's petition for review DENIED.

4th Dist. B T – 1, Appellant
G020711 v.
Div. 3 Equitable Life Assurance Society of the United, etc., Respondent
S084186 Request for judicial notice granted.
Petition for review DENIED.
Kennard, J., and Brown, J., are of the opinion the petition should
be granted.

4th Dist. People, Respondent
G021570 v.
Div. 3 Saul Penuelas et al., Appellants
S083667 Appellants' petitions for review DENIED.

4th Dist. People, Respondent
G021861 v.
Div. 3 Daniel Isadore Cruz and Royce Edward Hatmaker et al., Appellants
S084137 Appellants' petition for review DENIED.

4th Dist. People, Respondent
G022352 v.
Div. 3 Andre Lamont Oliphant, Appellant
S083984 Appellant's petition for review DENIED.

4th Dist. G022566 Div. 3 S084145	People, Respondent v. Carlos Francisco Zamarron, Appellant Appellant's petition for review DENIED.
4th Dist. G022898 Div. 3 S080214	People, Respondent v. William Edward Johnson, Appellant Appellant's petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
4th Dist. G023161 Div. 3 S084195	People, Respondent v. Ruben Martinez, Appellant Appellant's petition for review DENIED.
4th Dist. G025405 Div. 3 S083991	People, Respondent v. Victor Bagha, Appellant Appellant's petition for review DENIED.
4th Dist. G025622 Div. 3 S084144	Stacey J., Petitioner v. Orange County Superior Court, Respondent Orange County Social Services Agency et al., Real Parties in Interest Petition for review DENIED.
5th Dist. F028361 S084267	People, Respondent v. Barney Arias, Appellant Appellant's petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
5th Dist. F029159 S084229	People, Respondent v. Frederick Burgoyne Haight, Jr., Appellant Appellant's petition for review DENIED.
5th Dist. F029193 S083989	People, Respondent v. Christina Merie Aguilar, Appellant Appellant's petition for review DENIED.

5th Dist. People, Respondent
F030760 v.
S084214 Levoid Shoals, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F031055 v.
S084113 Steven Stacy Pombo, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F031126 v.
S084135 Daniel Leo Oropeza, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F031329 v.
S084087 Robert Don Hampton, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F031362 v.
S084181 Lindell King, Appellant
Appellant's petition for review DENIED.

5th Dist. Gab Robins North America Incorporated et al., Petitioners
F034126 v.
S083214 Stanislaus County Superior Court, Respondent
Zurich Insurance Company, Respondent
Petition for review DENIED.

6th Dist. In re Hector Victor Sanchez on Habeas Corpus
H017425 -----
H019174 People, Respondent
S083599 v.
Hector Victor Sanchez, Appellant
Appellant's petition for review DENIED.

6th Dist. People, Respondent
H018055 v.
S084232 Rance Bolton, Appellant
Appellant's petition for review DENIED.

6th Dist. People, Respondent
H018260 v.
H018070 Tony Clark Burch, Appellant
S084153 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

6th Dist. People, Respondent
H018396 v.
S083781 Patrick Michael Smith, Appellant
Appellant's petition for review DENIED.
Kennard, J., and Chin, J., are of the opinion the petition should be granted.

6th Dist. People, Respondent
H018486 v.
S083981 John Franklin Elgart, Appellant
Appellant's petition for review DENIED.

6th Dist. People, Respondent
H018571 v.
S083992 John Raymond Rodriguez, Appellant
Appellant's petition for review DENIED.

6th Dist. People, Respondent
H018692 v.
S084148 Art Martin Valles, Appellant
Appellant's petition for review DENIED.

6th Dist. People, Respondent
H019143 v.
S084147 Norberto John Vargas, Appellant
Appellant's petition for review DENIED.

6th Dist. Jeremy T., Petitioner
H020606 v.
S083591 Santa Cruz County Superior Court, Respondent
People, Real Party in Interest
Petition for review DENIED.

6th Dist. In re Zeferino Espinoza
H020728 on
S083897 Habeas Corpus
Petition for review DENIED.
Kennard, J., is of the opinion an order to show cause should
issue.

4th Dist. Robert Schwartz et al., Appellants
D032072 v.
Div. 1 County of San Diego et al., Respondents
S083071 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

S078271 Peter Vu, Appellant
v.
Prudential Property & Casualty Insurance Company, Appellant
On application of appellant Vu and good cause appearing, it is
ordered that the time to serve and file appellant Vu's reply brief on
the merits is extended to and including March 27, 2000.

S080905 In re Liza Brown
on
Habeas Corpus
On application of the Attorney General and good cause
appearing, it is ordered that the time to serve and file the informal
response is extended to and including February 10, 2000.

S081408 In re Jack Gus Farnam
v.
Habeas Corpus
On application of respondent and good cause appearing, it is
ordered that the time to serve and file respondent's informal
response to the petition for writ of habeas corpus is extended to and
including February 14, 2000.

S004705 People, Respondent

Crim. v.

25081 Michael Dee Mattson, Appellant

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for condemned prisoner Michael Dee Mattson, filed December 14, 1999, is granted.

The order appointing Henry H. Rossbacher as counsel of record for condemned prisoner Michael Dee Mattson, filed November 22, 1994, is hereby vacated.

The Federal Public Defender for the Central District of California is hereby appointed as attorney of record for condemned prisoner Michael Dee Mattson. Counsel is appointed for purposes of all post-conviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

S004789 People, Respondent

Crim. v.

26423 Kenneth Clair, Appellant

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for condemned prisoner Kenneth Clair, filed December 14, 1999, is granted.

The order appointing Henry R. Rossbacher as counsel of record for condemned prisoner Kenneth Clair, filed February 1, 1995, is hereby vacated.

The Federal Public Defender for the Central District of California is hereby appointed as attorney of record for condemned prisoner Kenneth Clair. Counsel is appointed for purposes of all post-conviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

S081565 People, Respondent

v.

Elias Guerrero Nava, Appellant

Upon request of appellant for appointment of counsel, Stephen S. Buckley is hereby appointed to represent appellant on his appeal now pending in this court.

Bar
Misc.
4186

In the Matter of the Application of the Committee of Bar Examiners of the State of California for Admission of Attorneys

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(LIST OF NAMES ATTACHED TO ORIGINAL ORDER)

S083548

In re **Martin K. Harary** on Discipline

It is ordered that **Martin K. Harary, State Bar No. 49911** be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for one year. He is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed October 20, 1999. Credit toward the period of actual suspension shall be given for the period of interim suspension which commenced on March 31, 1998 (*In re Young* (1989) 49 Cal.3d 257, 270.) It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6140.7 and are payable in equal amounts prior to February 1 of calendar years 2000 and 2001.

S083639

In re **Harold Samuel Wrobel** on Discipline

It is ordered that **Harold Samuel Wrobel, State Bar No. 120783**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed October 20, 1999. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and shall be added to and become part of the membership fee for the next calendar year. (Bus. & Prof. Code section 6140.7.)

S083640 In re **Bruce Jay Friedman** on Discipline

It is ordered that **Bruce Jay Friedman**, State Bar member number 57053, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation recommended by the Review Department of the State Bar Court in its opinion filed September 24, 1999. Costs are awarded to the State Bar in accordance with section 6086.10 of the Business and Professions Code and payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

S083643 In re **Keith Gerard Liggins** on Discipline

It is ordered that **Keith Gerard Liggins**, State Bar No. 124055, be suspended from the practice of law for three years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct and until he complies with the specified restitution set forth on pages 16-21 (attachment pages 10-15) of the Stipulation Re Facts, Conclusions of Law and Disposition filed October 22, 1999; that execution of suspension be stayed; and that he be placed on probation for three years on condition that he be actually suspended for one year and until he makes restitution to Fidelis Agwamba (or the Client Security Fund, if appropriate) in the amount of \$300.00, plus 10% interest per annum from October 2, 1996, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel and until he completes State Bar Ethics School and until he returns the specified client filed set forth on page 16 (attachment page 10) of the Stipulation Re Facts, Conclusions of Law and Disposition filed October 22, 1999. He is further ordered to comply with the other conditions of probation, including other specified restitution, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation executed October 26, 1999. If the period of actual suspension is two years or or greater, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. It is also ordered that he take and pass the Multistate

Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and payable in accordance with Bus. & Prof. Code section 6140.7.

*(See Business & Professions Code, § 6126, subd. (c).)

S083644 In re **Brian D. Beaudoin** on Discipline

It is hereby ordered that **Brian D. Beaudoin, State Bar No. 128925** be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Costs are awarded to the State Bar.

S083645 In re **James Theodore Bakis** on Discipline

It is hereby ordered that **James Theodore Bakis, State Bar No. 44415** be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Costs are awarded to the State Bar.